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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/733,171

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EXAMINER

LETT, THOMAS J

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/733,171

**Applicant(s)**

TANIMOTO, YOSHIFUMI

**Examiner**

Thomas J. Lett

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-14 is/are allowed.
- 6) ☒ Claim(s) 1-7 and 15-18 is/are rejected.
- 7) ☒ Claim(s) 19-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.5.6.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3, 5-7, and 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Okada (US Patent 5,757,510).

With respect to claim 1, Okada discloses the following kinds of information are registered in the line group definition table 7 (stored in facsimile mail apparatus 3): line numbers corresponding to physical lines, group names of groups to which the lines belong; names of functions including special delivery, broadcast delivery, and confidential delivery functions; names of network types such as a PBX and a public network (col 4, lines 32-38), which reads on a delivery condition storage for a plurality of registering delivery conditions to determine to which recipient facsimile image data should be transferred, the facsimile image data being received from another device over PSTN or other networks, and delivery information or instructions being carried together with the facsimile image data;

and the second main processor 12 constitute a control system of the facsimile mail apparatus 3 for a delivery management means for determining a sending line group to be used when sending facsimile information to a plurality of facsimile terminals,

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by referring to the management information stored in the storage means (col 2, lines 7-11), which reads on a control unit for determining one or more recipients of the facsimile image data in accordance with one or more delivery conditions that match the delivery information or instructions of the facsimile image data, and for transferring the facsimile image data to the determined one or more recipients.

With respect to claim 2, Okada discloses a sending line control portion 28 governs sending lines between the exchange 2 and the facsimile mail apparatus 3. A sending line transfers facsimile information from the facsimile mail apparatus 3 (col 3, lines 45-48), which reads on the control unit transfers the facsimile image data to the determined one or more recipients in accordance with protocols suitable to the respective recipients.

With respect to claim 3, Okada discloses priority is given to the functional condition, division can be such that the group A assigned to special delivery comprises 10 lines, the group B assigned to time-specified delivery comprises 10 lines, and the group C assigned to ordinary delivery comprises 22 lines (col 7, lines 3-7), which reads on the delivery conditions include day and time of data transfer.

With respect to claim 5, Okada discloses a computer communication processing portion 20 for controlling communication with a computer terminal 18 disposed in a remote place, and a medium converting portion 21 (col 3, lines 62-65), which reads on the recipients include a client machine connected to the other networks.

With respect to claim 6, Okada discloses a computer communication processing portion 20 for controlling communication with a computer terminal 18 disposed in a

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remote place, and a medium converting portion 21 (col 3, lines 62-65), which reads on the recipients include a client machine connected to the other networks via the internet.

With respect to claim 7, Okada discloses a computer communication processing portion 20 for controlling communication with a computer terminal 18 disposed in a remote place, and a medium converting portion 21 (col 3, lines 62-65), which reads on the recipients include a facsimile machine connected to the other networks via the internet.

With respect to claim 15, Okada discloses when data or control information is received by a call-accepting line management portion 30 via the computer communication processing portion 20 or the FAX/voice communication processing portion 22, a log-in check on the data or the control information is carried out by referring to the subscriber management table 5 (col 5, lines 1-6), which reads on a means for receiving data from a first device over a first network together with delivery information or instructions; and the sender condition is set ON in the call-issuing line selection definition table 6 (FIG. 10(c)), and once this setting is confirmed, the management table 32 for managing the call-issuing line used by a subscriber (FIG. 10(a)) is referred to, so as to determine, on the basis of the call-issuing line groups registered therein, the line group to be used when issuing a call (col 6, lines 1-7), which reads on a means for transferring the data to a second device if the delivery information or instructions match at least one of a plurality of predetermined conditions.

With respect to claim 16, Okada discloses that the facsimile mail apparatus 3 constitutes a mail center by being connected to the exchange 2 either for a PBX or for a

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public network (col 3, lines 34-37), which reads on wherein the first network includes at least one of PSTN, LAN and internet, and the data is facsimile image data.

With respect to claim 17, Okada discloses that the facsimile mail apparatus 3 constitutes a mail center by being connected to the exchange 2 either for a PBX or for a public network (col 3, lines 34-37), which reads on wherein the data is transferred to the second device over at least one of PSTN, LAN and internet.

With respect to claim 18, Okada discloses a case where the sender 01 sends a special delivery facsimile mail to the receiver 99, it is found, by referring to the line group definition table 7 (FIG. 12(b)), that the group A is assigned to the special delivery function (col 5, lines 51-55 and Figs 12B and 14B), which reads on wherein the predetermined conditions include day and time of data transfer.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (US Patent 5,757,510) in view of Nosaki et al (US Patent 6,016,386 A). Okada discloses:

the following kinds of information are registered in the line group definition table 7: line numbers corresponding to physical lines, group names of groups to

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which the lines belong; names of functions including special delivery, broadcast delivery, and confidential delivery functions; names of network types such as a PBX and a public network (col 4, lines 32-38), which reads on a delivery condition storage for a plurality of registering delivery conditions to determine to which recipient facsimile image data should be transferred, the facsimile image data being received from another device over PSTN or other networks, and delivery information or instructions being carried together with the facsimile image data;

Okada does not disclose expressly that the control unit transfers the facsimile image data to a printer associated with the facsimile machine or another printer connected to the other networks when data delivery to at least one of the determined one or more recipients fails. Nosaki et al discloses that if a transmission retry operation is performed N (3) times (YES in step ST468), a transmission error flag is set (step ST472), and the flow advances to transmission document print processing (step ST474 in FIG. 31A). If the transmission is normally terminated (YES in step ST466), the flow advances to the transmission document print processing (step ST474) (col 18, lines 51-57). Okada and Nosaki et al are analogous art because they are from the similar problem solving area of alternative output of data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of Nosaki et al to Okada in order to obtain an alternate output of sent data. The motivation for doing so would be to provide data in print form that failed in transmission.

***Allowable Subject Matter***

3. Claims 8-14 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter: Claims 8-14 are allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior art which teaches preparing a list of one or more recipients, to whom the received facsimile image data will be transferred from the facsimile machine over another network, based on delivery conditions stored in a storage unit of the facsimile machine, and further determining whether a flag for causing a printer of the facsimile machine to print the received facsimile image data should be raised based on the delivery conditions.
5. Claims 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 703-305-8733. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC 20231

**or Faxed to:**

(703) 872-9314 (for Technology Center 2600 only).

**Hand-delivered** responses should be brought to:

Crystal Park II

2121 Crystal Drive

Arlington, VA

Sixth Floor (Receptionist).

TJL

(TJL)

*KA Williams*  
KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER